IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL

TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7437 of 2005

Between:

The Toddy Tappers Co-op.Society,Pocharam (V), Pulkal (M) Medak District. Rep by its President, K.Ashok Goud,
S/o.Dirga Goud, aged about 40 years R/o.Pocharam (V), Pulkal (M), Medak District.

..... PETITIONER

AND

The Prohibition and Excise Superintendnet, Medak District, Office at Sangareddy.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent in issuing the impugned order, dt.4-3-2005 in File No.Cr.No.125/2005/B7, suspending the Licence of the Toddy Tappers Cooperative Society, Pocharam Village, Pulkal Mandal, Medak District as illegal, arbitrary, unlawful and contrary to Law and pass such other orders which are necessary in the interest of justice.

Counsel for the Petitioner: M.DAMODAR REDDY

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following :

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ORAL ORDER:.

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of a Writ particularly one in the nature of Mandamus declaring the action of the respondent in issuing the impugned order dated 4.3.2005 in File No. Cr. No. 125/2005/B7, suspending the licence of the Toddy Tappers Cooperative Soceity, Pocharam Vilalge, Pulkal Mandal, Medak District, as illegal and arbitrary.

Against the order of suspension, an appeal is provided under Section 63 of the Andhra Pradesh Excise (Arrack and Toddy General Conditions of Licence) Rules, 1969, to the Deputy Commissioner.

In view of the efficacious and effective alternative remedy available to the petitioner, this Writ Petition is dismissed without expressing any opinion on merits. No costs.

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D.S.R. VARMA, J

DATED: 05.04.2005

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To

1. The Prohibition and Excise Superintendnet, Medak District, Office at Sangareddy.

2. Two CCs to G.P. for Prohibition and Excise, High Court of A.P. Hyderabad. (OUT)

3. Two CD copies.